

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DONNA ESPOSITO, Individually
and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

BLOCK, INC., JACK DORSEY,
and AMRITA AHUJA,

Defendants.

Case No. 1:22-cv-08636-RA

**STIPULATION AND
[PROPOSED] ORDER
CONTINUING DATE UPON
WHICH RESPONSIVE
PLEADING IS DUE AND
INITIAL CASE
MANAGEMENT
DEADLINES**

WHEREAS, on October 11, 2022, plaintiff Donna Esposito (Plaintiff”) commenced the above-captioned action (the “Action”) alleging violations of federal securities laws against defendants Block, Inc., Jack Dorsey, and Amrita Ahuja (collectively, “Defendants”);

WHEREAS, the Private Securities Litigation Reform Act of 1995 (the “Reform Act”), 15 U.S.C. § 78u-4, *et seq.*, establishes a mandatory procedure for the selection of lead plaintiff and counsel to oversee putative class actions brought under the federal securities laws;

WHEREAS, 15 U.S.C. § 78u-4(a)(3)(A)(i) provides that within 20 days after the date on which a securities fraud class action is filed, the plaintiff is required to cause notice to be published advising potential plaintiff class members of the pendency of the action, the claims, the purported class period, and that any putative member of the class may file a motion with the Court to serve as lead plaintiff no later than 60 days from the publication of that notice;

WHEREAS, after publication of notice, 15 U.S.C. § 78u-4(a)(3)(B)(i) directs this Court to consider any motions brought by putative class members seeking to be appointed as lead

plaintiff no later than 90 days after publication of the notice;

WHEREAS, pursuant to the Reform Act, on October 11, 2022, counsel for Plaintiff published notice of the filing of this Action, advising all putative class members of, *inter alia*, the allegations and claims in the complaint, the class period, and their option to seek appointment as lead plaintiff by December 12, 2022;

WHEREAS, there has been no appointment of a lead plaintiff or lead counsel in this Action;

WHEREAS, once selected, the lead plaintiff will identify an operative complaint or file an amended complaint that becomes the operative complaint;

WHEREAS, on October 21, 2022, this Court issued an order asking the parties to submit a joint status letter and proposed case management plan and scheduling order by December 2, 2022, and scheduled a status conference for December 9, 2022;

WHEREAS, on November 7, 2022, counsel for Defendants executed valid waivers of service of process on behalf of Defendants;

NOW, THEREFORE, the parties, by and through their undersigned counsel of record, in the interests of judicial economy, hereby agree and stipulate, and respectfully request that the Court order as follows:

1. Defendants are not required to respond to the initial complaint in this Action, or to any complaint in any action consolidated into this Action, until after the Court appoints a lead plaintiff pursuant to the Reform Act;
2. The December 2, 2022 deadline for submission of a joint status letter and proposed case management plan and scheduling order, along with the December 9, 2022 status conference, are both vacated;

3. Within fourteen (14) days after the Court appoints a lead plaintiff(s) pursuant to the Reform Act, Defendants and the lead plaintiff(s) shall confer and jointly submit to the Court: (i) a proposed schedule and dates by which the lead plaintiff(s) will file an amended complaint or designate a complaint as the operative complaint; and (ii) a briefing schedule on Defendants' anticipated motion(s) to dismiss.

Dated: New York, New York
November 8, 2022

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/s/ Jennifer M. Keighley

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*Counsel for Defendants Block, Inc., Jack Dorsey, and
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Dated: New York, New York
November 8, 2022

/s/ Gregory B. Linkh

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Counsel for Plaintiff Donna Esposito

[PROPOSED] ORDER

Based on the stipulation of the signed parties, and good cause appearing, IT IS HEREBY ORDERED that the Stipulation is approved. It is so ORDERED.

DATED: _____

THE HON. RONNIE ABRAMS